Tree Strategy and Action Plan for Council Owned Trees 2009 – 2019 (updated 6th November 2012)

Strategy for Council Owned Trees 2009-2014

1. MISSION STATEMENT

Trees and woodlands are an important and integral part of the urban landscape of Sutton. The Council and all stakeholders alike take a pride in working and living in such a densely tree covered Borough. They improve the air we breathe and community well being, while providing a wide range of habitats for wildlife. They create a green and calming environment for the residents and visitors to the Borough.

The Council will protect and enhance the tree stock while remaining sympathetic to the interests of residents; the Council will ensure that the tree stock is managed in such a way that continuity of tree cover will be safe-guarded for residents and visitors now, and future generations.

2. TREE AND WOODLAND STRATEGY AIMS AND OBJECTIVES

The tree strategy covers trees growing on public land managed by the London Borough of Sutton and is intended as a working document. It is a statement of the Council's policies and procedures in relation to trees and tree management.

This document will be subject to review, particularly in the event of changes in environmental, cultural or social needs.

2.1 Key Aim

To increase the awareness of the important contribution made by publicly owned trees within the Borough and ensure, through appropriate management, that they continue to be a benefit to the community.

2.2 Objectives

- To protect and enhance the current tree stock
- To record all the tree stock onto a dedicated database
- To raise awareness of the societal and environmental benefits that trees provide

- To ensure through good management that Council owned trees do not pose an unreasonable threat to people and/or property
- To improve the Arboricultural service provided to the residents of the London Borough of Sutton
- To increase and encourage tree planting throughout the Borough
- To develop community involvement in tree related issues
- To improve the legal and technical framework in relation to insurance issues
- To reduce the costs of existing claims for damages against the Council
- To reduce the instances of new claims for damages against the Council
- To adopt a coordinated approach with other Council sections to improve the service provided
- To take into account the current and future changes in climate and manage the tree stock accordingly
- To deal with enquiries from Stakeholders within the corporate guidelines of the London Borough of Sutton
- To ensure that trees and woodlands contribute to a high quality natural environment, protecting and enhancing biodiversity in line with Suttons Biodiversity action plan and the Tree and woodland framework for London

3. INTRODUCTION

3.1 FACTS

There is estimated between 30-40 trees per hectare in the London Borough of Sutton, more than most other London Boroughs.

We have a proud heritage of tree cover in the Borough, ranging from Victorian planted avenues of Plane, Lime and Beeches, to many veteran trees dating back over 300 years. Most notable of these are the Sweet chestnuts in Carshalton Park, one of which has recently been awarded Great Trees of London Status, and the large London Plane in Honeywood walk, once recorded as the largest Plane tree in England.

The tree lined streets and parks encourage people into the Borough and have provided a pleasant and healthy place to live and work for generations. The maintenance and enhancement of this tree inheritance will help to successfully implement a key priority set out in the Sutton Plan, to develop a cleaner, greener environment.

3.2 Relevant Documents

- Local Agenda 21
- London Borough of Sutton Core Values.
- London Borough of Suttons Eco-Management and Audit Scheme
- London Borough of Sutton Customer Contact Charter 2007/08
- The London Borough of Suttons Biodiversity Action Plan
- Trees in Towns II 2007 Department of Communities and Local Government (www.communities.gov.uk/publications/planningandbuilding/treesintownsii)
- BS5837 Trees in relation to Construction Recommendations 2005
- BS3998 Recommendations for tree works 1998
- Action for London's Trees, Task Force Trees, Countryside Commission 1993
- Trees Matter! National Urban Forestry Unit (NUFU 2005). (treesforcitiesorg.site.securepod.com/files/tfc_treesMatter**)**
- The London Tree Survey 1993. Cobham Research Consultants, published by Countryside Commission
- Does Money Grow on Trees? 2005, CABE space (http://www.cabe.org.uk/AssetLibrary/2022.pdf)
- The London Trees and Woodlands Framework 2005, London Assembly & Forestry Commission.

- Communities and Local Government. Research for Amenity Trees No 9.TSO, London
- Joint mitigation protocol
- London Tree officers associations Risk Limitation Strategy 2007
- Climate change and urban clear spaces. Communities and local Government. Neighbourhoods, Cities and Regions analysis division

3.3. BACKGROUND

3.3.1 THE VALUE OF URBAN TREES

Trees in towns provide a range of tangible and also more esoteric benefits that can sometimes be difficult to quantify but are nonetheless real. They have considerable beneficial impacts on the lives of those who live in towns and cities but do not have immediate access to other more traditional types of open space.

3.3.2 Environmental Benefits

(**Appendix 1 References**)

- Absorbing carbon dioxide (the main green house gas)[3]
- Filtering, absorbing and reducing pollutants (Ozone, sulphur dioxide, carbon monoxide, nitrogen dioxide, dust, particulates and noise)[4, 5 & 6.]
- Producing Oxygen
- Reducing localised extremes in temperatures, cooling in the summer and warming in the winter (countering urban heat island effects)[7.]
- Reducing the effects of flash floods[8.]
- Acting as carbon sinks (although in terms of trees in towns this role is limited and is more symbolic than actual)[9.]
- Providing habitats for a broad range of wildlife[11, 12, 13, 14, 15, 16 & 17.]

3.3.3 Social Benefits

- Providing amenity, aesthetic value and historical continuity[10]
- Marking the changing seasons with leaf changes and floral displays
- Symbolising community focal points

3.3.4 Economic Benefits

- Increasing property values (the presence of trees can increase the value of residential and commercial property by 5%[18, 19]-15%.[20 & 21.])

- The value of undeveloped land with mature trees can be increased by 27%
- Providing a sustainable source of graded timber, mulch and charcoal
- Providing a sustainable source of woodchip biofuel
- Providing a sustainable source of compost (leaf litter)
- Providing employment through all aspects of the industry
- When planted strategically they can reduce fossil fuel emissions by reducing fuel costs for heating and cooling buildings

3.3.5 Health and Well Being

- Reducing skin cancers by providing shade from harmful ultra-violet radiation
- Reducing stress and illness by providing psychological refreshment and a sense of well being through softening the built environment, creating character and a sense of place and permanence [22, 23, 24, 25, 26, 27,& 28]
- Releasing scents and aromas that elicit a positive emotional response contributing to health and well being [29.]

3.4 Issues with trees in an urban environment

Residents often live in close proximity to trees, particularly in urban areas.

These trees are either their own, their neighbours or quite commonly belong to the Council. Inconvenience to residents can be caused by trees when they grow near dwellings. A dilemma often occurs when the tree makes an important contribution to the local environment but also causes inconvenience to those living nearby.

With any population of trees there are a number of common sources of complaints including overhanging branches, shade, leaf/fruit fall, obstruction and physical damage, etc. Many of these problems can be dealt with by regular management.

4. LIST OF STAKEHOLDERS

Residents and resident's groups

Parks Staff

Insurance section

Councillors

Friends groups

Parks users

Public

Users of the sites involved for work or learning purposes

Businesses

Tree wardens

Heritage and Libraries

Children and Young People's Learning Services

Sutton Housing Partnership

Highways Section

Safer Sutton partnership

Planning Section

Biodiversity section

5. FORMAT

The Policies and Procedures have 4 parts:

Part 1 Introduction.

Part 2. Policies.

Part 3 Guidelines. Providing guidance on management for trees owned by the Council.

Part 4. Action Plan. This section sets out how the Council will achieve or attempt to achieve the policy goals (Subject to available resources).

6. POLICIES, GUIDELINES AND ACTION PLANS

6.1 Risk management and tree pruning

6.1.1 Introduction

The Parks Service manages trees for a wide range of sections within the Council. The main areas covered by current funding are Highways and Parks, other section such as Schools and Housing buy into an inspection service on a routine basis.

Trees are living dynamic organisms that are capable of achieving considerable dimensions and their structural make up is complex. By their very nature trees cannot be considered entirely free from risks, they are exposed to conditions that could compromise the safety of any tree, such as extreme weather, although the risk they present is generally at low and acceptable levels. The majority of the Councils' trees grow in areas of public access or near man made structures and would have the potential to cause harm if they were to fail.

The Council being the owners of the land have a duty of care to proactively inspect and maintain the trees under our management and ensure that this duty under current legislation has been fulfilled.

The main acts and regulations:

- Health and Safety at Work Act 1987
- Occupiers Liability Act 1957 and 1984
- Highways Act 1980
- Miscellaneous Provisions act 1976

We will manage the tree stock by regularly inspecting the trees condition, and safety, identifying problems and making recommendations based on the findings.

As part of the inspections, other problems associated with trees such as obstructive growth, excessive overhang to properties and their potential to be involved in direct and indirect damage will be addressed as part of a regular inspection and pruning regime. The Council currently conduct a 4-yearly inspection schedule on the Highways and Parks trees.

The Borough's tree stock needs to be managed to ensure the overall condition is reasonable and the trees' full potential can be achieved. The aim of tree management in Sutton is to maximise the visual amenity benefits of trees while seeking to minimise the problems for the Borough's residents.

All recommended tree works would be carried out to British Standards 3998 Recommendations for Tree Work 1980 (currently under review) and in line with up to date industry best practices.

It is also important to record all relevant information found during inspections on a dedicated tree database not only for legal reasons but also so that we can improve the way the tree stock is managed by analysing the data collected. (At the time of writing this strategy the Arboricultural Department of the Council are in the process of developing a the new CONTENDER system with Business Systems).

Information on species composition and arboreal species is shared with the London Environmental Records Centre (GIGL).

It is also important to provide the public with relevant information on trees and tree management throughout the Borough, so that there can be an appreciation of the importance of urban trees and why the Council carries out certain types of management.

Further investigations

Were a defect has been identified on a tree during a routine inspection and further investigation is necessary. The Arboricultural Officers will use a two stage procedure to aid in the diagnosis.

Stage 1. Equipment used during normal Visual Tree Assessment (VTA) inspections

1. Binoculars to look at the upper parts of the trees canopy during routine VTA.
2. Sounding hammer.
3. Metal probe.

Stage 2. If the defects is confirmed, more invasive equipment is use to map the extent and severity of the problem

4. The PICUS tomography. (Semi invasive) This uses a series of sonic sensors placed around the tree at a suspect part, which detect waves induced by tapping and sound waves propagated through the wood. Data collection software then takes all of these measurements and will quickly generate a two-dimensional colour tomogram of the tree stem at the test level. The resultant picture provides a clear and precise indication as to the extent of any damage within the stem at the test location. Different colours on the image represent different density of wood, from dark brown, sound wood, through to light blue, decayed wood.
5. The Resistograph. This is a more invasive way of testing for decay, as it sends a fine drill into the wood and a graph is produced in accordance with resistance met by the drill.

6.1.2 Policies

Policy 1

The Council will carry out a visual tree assessment (VTA) of the existing tree stock on highways, parks, cemeteries and allotments on a minimum four-yearly basis

Policy 2

The Council will carry out a bi-annual inspection of trees on communal housing land as part of the current agreement with SHP

Policy 3

The Council will offer an annual tree inspection service to CYPLS for schools that opt to be involved with the scheme provided

Policy 4

The Council will record and evaluate the data from the inspections on a dedicated database* and plot locations on a linked mapping system. * System still under development

Policy 5

The Council will ensure that footways and highways are clear of obstructing growth from trees and liaise with other sections within the Council to improve the service provided, including basal growth removal. We will carry out an annual programme of basal growth on Lime trees beginning in May; depending on the type of season some may require a second treatment during the year

Policy 6

The Council will ensure that relevant Ward Councillors and Residents groups are informed when undertaking major tree works in their Wards

Policy 7

The Council will ensure that all Council property managers are aware of their legal obligations with regard to trees and encourage them to have trees on their sites regularly inspected (Note 1)

Policy 8

The Council will apply the Council's Equality and Diversity Policy where necessary when considering requests to carry out tree pruning

Policy 9

The Council will aim to promote a better understanding of the management, care and value of trees, to increase public awareness of their importance

Note 1 A separate policy is being prepared on the management of trees for other sections of the Council.

6.1.3 Guidelines

A qualified Arboricultural Officer will carry out regular inspections of the Council's tree stock on Highways and Parks managed sites as part of the agreed cyclical programme.

The inspection will cover the trees' biological and structural attributes in comparison with a healthy specimen using a recognised Visual Tree Assessment (VTA) system and works will be recommended to remove or minimise potential problems.

(Methodology for tree inspections See Appendix 2)

All tree pruning recommendations will be in accordance with BS3998 (1980) and other best practice guidelines, and contractors working within the public domain will abide by Health and Safety legislation as defined in the conditions of contract.

As part of the inspection process, a suitable management programme will be recommended on trees to remove or minimise the potential for trees to cause harm to people and or property, and to reduce other nuisance factors such as shading, overhang to properties etc. The work will be prioritised to enable the Council Officers to work within budget constraints.

(For types of tree pruning see Appendix 3)

Trees will be inspected following an enquiry and works carried out if necessary (for process see Public Enquiries Section 10).

Work instructions generated by the cyclical inspections will be sent to the relevant Ward Councillors in advance of the work being carried out, in order to give members the opportunity to raise queries with the Arboricultural Officer, although this is not a consultation process and the overriding responsibility for safety will be with the Arboricultural Officer. Work orders will not be sent to individual members of the public, unless specifically requested.

All information will be recorded on a dedicated database for legal and management purposes.

The Councils Arboricultural contractor will be issue with the above works order and continually monitored for quality of works and safety.

We will work with the Council's Biodiversity team to ensure that inspections and operations will be carried out in line with wildlife and protected species legislation and guidance.

All requests for tree pruning would have to follow the procedure in 6.5 Dealing with Enquiries

6.1.4 Action Plan

Actions	By when and whom	Cost/resource Implication
Continue with the agreed 4 yearly cyclical tree inspection pruning programme on highways and parks trees	On going. Arboricultural section	No implications
Set up a modern dedicated data collecting system to record findings and plot the trees to a linked mapping system from the inspections, produce work instructions for the contractor and analyse tree stock for management purposes	In progress. Business systems	Employing external temp staff to re- survey the current tree stock Funding met by Business systems Officer time. No implications
When this is complete write a separate report on a more intensive cyclical pruning programme for trees in High risk areas with recommendations and costs	When above action completed. Arboricultural section	No implications
Maintain the annual Limes lifting programme to allow free passage on footways and highways	Ongoing. Arboricultural section	No implications
Instruct Highways inspectors to aid in the identification of problem areas in terms of basal growth obstructions as part of their annual inspections	April 2009. Arboricultural section	Officer Time and the cost for inspections met from central budgets if agreed
Ensure that all sections of the Council are aware of legal obligations with regards to trees. • Write to all sections of the Council with regard to trees on their sites • Offer a service of inspection. Costs based upon size of the site and number of trees • Seek to secure funding for inspection of trees on site and any Health and Safety works required	In progress Parks Management team	

Devise a schedule for the site to be inspected. The regularity of inspection will be based upon size, age and position of tree	April 2009. Arboricultural section	No implications
Produce a web page for the Council's internet site giving information on trees throughout the Borough, cyclical pruning schedules, type of work carried out and other arboricultural information	Ongoing. Arboricultural section	Officer time. Resource allocation to Biodiversity section and external contractors
Inspections and operations carried out in line with wildlife and protected species legislation and guidance	Ongoing. Arboricultural section	Course fees and membership fees. Officer time
Ensure continual professional development of arboricultural team, by engaging in up to date industry courses, membership of professional bodies etc	Ongoing. Arboricultural section	Officer time and additional resources for stationary
Articles and information will be published in local papers, Sutton Scene and the Council's website etc. Information leaflets will be published when resources are available. We will also encourage tree wardens and residents to promote the benefits through out the Borough		

6.2 Tree Removal

6.2.1 Introduction

This section explains the circumstances Sutton Council would consider tree removal and where we would not.

6.2.2 Policies

Policy 10

The Council will retain and enhance healthy trees and groups of trees where possible. No tree will be felled without good reason (see Guidelines below)

Policy 11

The Council will not remove healthy tree/s over 60mm in diameter at 1.5 meters from ground level, to facilitate vehicular access to a property. Unless there are extenuating circumstances (see Guidelines below)

6.2.3 Guidelines

- Arboricultural Officers are authorised to remove trees in the following circumstances, and will use the following criteria in making decisions on tree removal (officers will inform Ward Councillors where practicable when a tree is to be removed):

- Trees that are, in the opinion of a qualified Arboriculturalist, dead, dying or immediately dangerous, due to their poor structural or biological condition, providing that there is no other recourse available

- Trees that are causing an obstruction or major disturbance to the public highway, public right of way or access to property or footway and have become a safety issue. This criterion also includes where the main trunk and buttress roots of a tree have narrowed the width of the footway to such an extent, that a wheelchair or double buggy could not safely negotiate the obstruction. Every case will be assessed individually and the site usage taken into account

- Tree or trees that are causing a legal nuisance to an adjoining property, where pruning would not address the problem (a “legal nuisance” is one that is actionable in law; a tree cannot be a “legal nuisance” to its owner). Examples might include soil subsidence as a result of tree root growth, physical damage to another owners’ property or a severe and unreasonable degree of noise, disturbance or loss of enjoyment of the adjoining dwelling or garden. These cases may arise when a tree is physically very close to, or in contact with, an adjoining property. Felling is acceptable only when the nuisance is severe and it is not possible to remove or minimise the problem by any other means such

as removing or repositioning the target or pruning. This subject is looked at in more detail in section 6.4 Insurance

- A tree that may be preventing essential repairs to property and it is not possible to overcome the problem by any other means than removal

- Trees that can be used to gain criminal access or may be obstructing essential police or Council-monitored CCTV surveillance and it is not possible to remove or minimise the problem by any other means such as removing or repositioning the camera/target or by pruning

- Thinning out young and developing trees in accordance with a Parks Management Plan. This work is usually essential during the establishment period to reduce the number of young trees in a plantation or group. This is done gradually as the trees grow bigger, allowing the best trees to flourish and encouraging healthy growth and development. Sometimes tree removal from mature stands may be necessary for the same reason

- Removal for wildlife habitat improvement. Occasionally it may be necessary to fell trees to promote particular habitat, for example to prevent loss of meadowland or to encourage native tree species or ground flora

- Where a tree or trees need to be removed to allow development on Council owned property and the development is in the best interest of the community as a whole. The decision on whether to approve removal of the tree or trees will be referred to the Executive. The Head of Service responsible for the specific area of Council land to be developed will need to provide compelling evidence that the removal of the trees is essential to allow the scheme to proceed. It would be required as part of this process to provide new planting* or landscaping to mitigate the loss of the existing tree/s either within the development site or preferably in the local area. *This may require more than one new replant to compensate for the loss of a mature tree.

Notification of tree removal

When a tree has been identified for removal an authorised Officer will post a notification card to all residents that will be immediately affected by the decision (this will include the actual property and the two adjacent properties). There will be a 21 day period* for consultation.

* This does not apply were the tree is deemed an imminent hazard

Reason for not removing a tree or trees: (please note: this list is not exhaustive, but to be used as general guidelines)

- Trees shading properties

- Overhang to properties

- Honey dew problems (sap)
- Bird droppings
- Perceived risk
- Leaf fall
- Fruit falling onto ground
- Size of tree
- Allergies
- Not Council-owned
- TV or satellite reception

Vehicle Crossovers

Situations where it would be considered appropriate to removal a healthy tree for a vehicle crossover:

- Under the Council's Equality and Diversity Policy, we recognise that that some residents with disabilities may have special requirements for mobility for example and require better access or to their property. This would be taken into account when considering a request to remove a tree to facilitate a drop kerb. Evidence would be required and a case would be presented by the Arboricultural Officer to the local Ward Councillors for a decision. The cost of the tree removal and replacement would have to be met by the applicant
- Removal to allow access to an authorised development or redevelopment. This would have to be agreed by Development Control and/ or Area Committee, when deciding approval of developments
- Tree stem diameter is less than 60mm in diameter at 1.5 meters from ground level.

Appeals procedure

If a resident or any other stakeholder disagrees with the Council Officer's decision not to remove the tree, the following process will be followed:

The appointed LBS Arboriculture Officer will write a report regarding the tree and the circumstances surrounding the appeal and present it to the three local Ward Councillors.

There will then be a 28 day period for ward members to comment. Following the 28 days the replies will be taken into account in the decision making process.

If two or more Councilors support the residents appeal for the tree to be removed, the report will be sent to The Strategic Director of Environment and Neighbourhoods who will have delegated authority to make a final decision in consultation with the Chair of the E&N Committee".

If two or more Councillors do not support the residents appeal the tree will not be removed and the resident/stakeholder making the request will be informed.

6.2.4 Action Plan

Actions	**By when and whom**	**Cost/Resource implications**
A information card to be made up with all relevant details applying to tree removal and contact details for inspecting Officer	April 2009 Arboricultural section	Purchasing of cards and printing
To work with the Highways Managers and Inspectors to identify and remove safety issues caused by trees on the public highway	Ongoing Arboricultural Section and Highways Section	No implications

6.3 TREE PLANTING

6.3.1 Introduction

Tree planting is an integral part of the Council's long-term strategy for continuous tree cover, but it is equality important to follow the principle of planting the right tree in the right place.

There are a number of ways that sites for new trees can be identified:

a) Requests from Stakeholders

b) Sites identified during cyclical inspections. Either where space is identified or where it is recommended that the existing tree be removed

c) As part of a individual Parks Management Plan

d) Replace failures from tree planting schemes from past two seasons

e) As part of planting schemes with external groups

6.3.2 Policies

Policy 12

The Council will replace tree losses wherever practicable, a minimum of 80 standard trees will be planted annually within the current budget constraints

Policy 13

The Council will consider the choice of tree species with reference to biodiversity, the potential environmental changes of climate and increased population density

Policy 14

The Council will ensure that newly planted trees are adequately maintained so that they have the best chance of establishment

Policy 15

The Council will consider the existing and future infrastructure requirements when planting new trees and work within the guidelines set out below, having regard to the Tree and Woodland Framework for London, right tree right place check list.

Policy 16

The Council will encourage stakeholders to take part in planting and maintaining trees

Policy 17

The Council will continue to provide a sponsored tree scheme for stakeholders

Policy 18

The Council will establish priority locations for tree planting taking into account the following factors: Transport corridors Deprived areas Biodiversity objectives Areas of regeneration and community forests/woodlands

6.3.3 Guidelines

If a resident has requested that a new tree is planted adjacent to their property, we will consult with them and wherever possible, agree the species selection, suitability and availability for the site. Request will be placed onto a list and planted in date order, in some instances it may take a number of season for the tree being planted

If the tree has not been requested by a resident, we will consult with the owners/occupiers of the properties likely to be affected by the new planting. If the resident is not available, a card will be left with details and a contact number of the Officer involved. If no contact is made prior to tree planting, it will be presumed that there are no objections and tree planting will commence.

When assessing planting sites for suitability and species selection, the following criteria will be taken into consideration:

- Available space and the ultimate size of the tree when established. The type of tree should fit the given environment
- The type of soils in the local area. Avoid planting high water demanding trees in areas predisposed to high volumetric changes in the soil. Also different species establish more successfully on certain soil types
- Where dropped kerb requests are likely – trees will be planted on the boundary between properties to keep the frontages open to use for access
- The existing tree stock in the immediate area (See what is growing successfully)
- Underground and overhead services

Problems associated with planting a given species in the Highways will be assessed including the following

- Fruit trees that produce large fruit such as some species of Pear
- Trees that are known for producing fruit and or foliage, that if taken in quantities, could be harmful to humans or animals

Purchasing

When purchasing new trees, consideration will be given to the Council's purchasing policy and environmental criteria.

When purchasing tree stock an Authorised Officer will evaluate a number of nurseries for cost and quality.

When purchasing tree stock, consideration will be given to the Council's biodiversity objectives.

Planting and Maintenance

Trees will be planted to the recommendations within BS 4428 and current best practice.

Trees will be planted over the late autumn / winter period and a programme of maintenance will begin soon after planting.

Young trees will be watered for two seasons after planting. The amounts of water and frequency will depend on the weather condition at the time and any restrictions that apply, such as hosepipe bans.

A letter will be sent to residents encouraging them to take care of the newly planted trees, this will include watering, especially during times of hot weather. We will also attach a laminated tag to the newly planted tree

Sponsored Trees

Guidelines

Before the Council considers accepting a sponsored tree from a member of the public the Arboricultural Officer will:

- Arrange a site meeting at the prospective planting site
- Agree the final position and species, ensuring they are suitable for the location

In parks and open spaces it is favorable to plant within existing woodlands or copses of trees, and not plant individual trees in formal lawns or open areas. If a suitable location cannot be found or suitable tree species agreed, then the officer will decline the offer of a sponsored tree. It is more important to consider the tree in the context of protecting and enhancing the park than to accept an offer of a tree just to satisfy an individual member of the public.

The tree will be planted at the appropriate time of year (November to February) at the same time as the remainder of the Council's planting schemes. To plant a standard tree, the cost will depend on the type and size of the tree, and the cost includes:

- The purchase and delivery of the tree
- Planting, staking and the supply of any additional top soil or soil conditioners if required
- Regular watering of the tree in the first growing season as and when required
- The watering is mainly conducted throughout the summer months to ensure successful establishment. Sponsors are encouraged to supplement this during the summer period to give the tree as good a chance as possible

Although the Council endeavors to ensure the successful establishment of every tree planted, due to the vulnerable nature of young trees there are inevitably going to be failures. If the tree should fail during the first season, the Parks Service will replace the tree the following planting season, but on one occasion only. Once the tree has been planted it then becomes the property of the London Borough of Sutton

Plaques on trees are not allowed. Large amounts of sponsored trees in some of our parks, especially the popular ones such as the Grove Park, would mean that such plaques would detract from the look of the park. Also the plaques are vulnerable to damage, which can be upsetting for the family. It is important to stress that trees are sponsored for the benefit of the park and although the tree may be purchased to commemorate a family event or to remember a relative, a plaque is a private and individual object that does not enhance the park.

Planting of bulbs or bedding around sponsored trees is also not allowed and any floral tributes or other items attached to the tree will be removed, again these items detract from the overall look of the park.

Commemorative trees with plaques can be planted within cemeteries. The Cemetery Superintendents will advise further on arrangements. Please call:

Sutton Cemetery 020 8644 9437 or Bandon Hill Cemetery 020 8647 1024.

- A request for a sponsored tree is received by the Council Officer.
- A site visit is arranged to establish suitability and species selection. (See criteria in tree planting selection)
- When site and species have been agreed, the person requesting the tree will be asked for a cheque for the appropriate amount

- The tree is then placed on order and will be purchased and planted with all other highways and parks trees at the appropriate time of year
- The person/s whom have purchased the sponsored tree will be contacted regarding time of planting so they can have the opportunity of being there for the occasion

6.3.4 Action Plan

Actions	**By when and whom**	**Cost /Resource implications**
Continue to seek funding to increase tree planting throughout the Borough	Ongoing Arboricultural section	Officer time
Improve the information provided to the public on tree planting and establishment. This would be in the form of leaflets (if funding available), website information, Sutton scene and local newspapers	Ongoing Arboricultural section	Funding would be required to produce leaflets and Officer time
Involving tree wardens in planting schemes, improving young tree establishment, and raising locally sourced trees from seed. This will be achieved by the way of education and, by making resources available to them	Ongoing Arboricultural section	Cost implication to provide resources such a nursery facilities. Officer time
A list of tree planting request will be kept and trees planted in date order of request if the sites are suitable	Ongoing Arboricultural section	Tree planted within current budgets
The Arboricultural Section will work actively with Residents groups to identify areas and spaces for new tree planting site	Ongoing Arboricultural section	Tree planted within current budgets, unless additional funding found

6.4 INSURANCE ISSUES

6.4.1 Introduction

Direct Damage

Damage to the footway, kerbs and garden walls (as a result of pressure exerted by the radial growth of roots) is a common occurrence, especially in the close confines of the urban setting. Damage most commonly occurs close to the tree and will diminish rapidly with distance. Pressure from root growth is relatively weak and therefore roots will usually distort around significant obstructions. This type of damage can result in property damage or slip / trip hazards, leading to personal injury insurance claims. There is no way of predicting which trees will cause damage, or when, due to the unique nature of individual trees and sites, also as this type of damage can occur on any soil type.

Roots and Drains

It is recognised throughout the Arboricultural and Construction industries that physical damage to intact pipes (from structural roots) is rare. It is not uncommon for roots from trees and shrubs to invade pipes where there is an existing defect. Many older pipes are made of brick or salt-glazed clay and the joints are prone to cracking. As roots follow the water gradient and the line of least resistance, these cracks are easily invaded. Roots will then proliferate inside the pipe causing blockages. [38]

The best solution is to replace the older constructed existing pipe with a modern plastic alternative. These new pipes have longer runs and fewer joints, which are generally flexible and watertight. This significantly reduces the occurrence of root encroachment. The flow of water within plastic pipes is also improved due to the reduction in friction.

Subsidence related damage (Indirect damage)

This type of damage is associated with shrinkable clay soils. Damage can occur to properties from seasonal shrinking and swelling of the subsoil under parts of buildings. This in turn can cause differential movement, which can lead to structural damage.

Trees and other significant vegetation are frequently viewed as exacerbating the drying process by extracting moisture through the rooting system.

6.4.2 Policies

Policy 19

The Council will fulfil its obligation of care by ensuring that the tree stock is managed in such a way as to remove or reduce the potential for damage to property due to direct damage and the drying effects of tree roots on shrinkable clay soils To establish areas of higher risk in terms of shrinkable clay soils and subsidence potential to properties due to the actions of roots from Council-owned trees and take appropriate action (See Insurance 6.4)

Policy 20

The Council will allocate sufficient resources to review the evidence presented in new and existing claims of tree root damage

Policy 21

The Council will adopt the London Tree Officers Association's Risk Limitation Strategy* for Tree Root Claims (3rd edition May 2007) and the Joint Mitigation Protocol* with regard to claim investigation procedure *Both of these documents can be found at http://www.ltoa.org.uk/ or copies can be obtained from the Arboricultural section 24 Denmark road Carshalton)

Policy 22

The London Borough of Sutton recognises the problems that tree roots can cause to drains, but the onus is with the property owner to ensure that their pipes are in a state of good repair

Policy 23

The Council will continually look at new ways of improving the infrastructure and dealing with claims of root damage. Officers will work in partnership with other sections of the Council to achieve this

Policy 24

The Council will adopt a "right tree right place" planting policy

6.4.3 Guidelines

a) Direct Damage

When conducting the cyclical inspections of the tree stock, the Arboricultural Officer will make a note of the condition of surrounding fabrications and infrastructure, making comments on any obvious, significant defects. This then should be recorded on a database. If it is noted that significant damage has occurred and it is symptomatic of tree root damage, we will liaise with the relevant Council sections.

b) Highways direct damage

Areas of footway or highway may be identified as safety issues by the Highways Section (as part of the Highways annual inspection or following an enquiry from a third party). This may be due to the direct action of an adjacent tree root and the problem may not be overcome by ramping over the surface of the footway to make safe. The Highways Section will expose the area of damage and surface roots may have to be cut by the Council's arboricultural contractor.

A qualified Arboricultural Officer will make a site visit and recommend removal of surface roots where appropriate so that reinstatement can take place, based upon the following:

- Tree roots under 25mm in diameter may be removed without any further action to the tree
- If roots over 25mm in diameter have to be removed, remedial pruning on the tree's upper canopy will be recommended
- If the tree root is so large that it would be unacceptable to remove without seriously affecting the stability of the tree, the authorised Officer will recommend tree removal and replacement. If this is the only option, the local Ward Councillors will be consulted first

c) Third party claims for direct damage

In instances where a third party is making a claim for direct damage (due to the actions of a tree root emanating from the Council-owned tree) we will deal with it in accordance with the following procedure:

- The claimant will be asked to write to the insurance section to initiate a formal recovery claim
- A site visit will be made within two weeks to assess the claim
- Site details will be taken, and a report will be submitted to the Insurance Section. The report will include comments and recommendations on actions to be taken. One of the following may be recommended:

- Excavation of a trench close to area of alleged damage and the severance of any surface roots at the point of damage
- Excavation of a trench close to area of damage, severance of surface roots and installation of a plastic root barrier
- It will be recommended that when repairs to the damaged areas are carried out they are done in such a way as to minimise repeat damage, for example the installation of a reinforced lintel on a boundary wall, allowing space for tree roots to expand on a wall, or paved or tarmacadam surfaces
- No action

The Council will implement the planting criteria when considering new tree planting (See section 6.3).

The Insurance Section will deal with the compensation element of the claim in accordance with their procedures.

Indirect Damage

When dealing with claims, the Council Officers from both the Insurance and the Arboricultural section will assess whether or not the insurer has followed the Joint Mitigation Protocol. If not, a robust approach will be adopted when repudiating unwarranted claims by basing the arguments on any evidence (or lack of) presented. The Council Officer will normally be the designated claims handler in the Insurance Section with technical support from the Arboricultural Officer.

The Council will scrutinise all evidence presented with claims for adequate and appropriate levels. The level of evidence required will be based on the value category using the Capital Asset Valuation for Amenity Trees (CAVAT).

Following a claim against the Council, the Arboricultural Section will carry out an initial report within two weeks of receipt and return to the Insurance Section for consideration.

In dealing with alleged tree-related subsidence claims, if the evidence presented is inconclusive or lacking particular relevant tests or reports, the Officer will ask for further specific test results to assist in determining the actual cause of movement, or if the Council owned tree is involved.

Where inadequacies or discrepancies occur in the technical reports presented on behalf of the claimant, these should be brought to the attention of the Insurers and the claim challenged.

Where the evidence clearly indicates another cause for movement, the claim should be repudiated and the insurer informed of the Council's position.

6.4.4 Action Plan

Actions	By When and whom	Cost implications
Adopt the London Tree Officer Association Risk Limitation Strategy and the Joint Mitigation Protocol when investigating alleged claims of damages made against the Council, and a Council-owned tree is implicated	January 2009 By The Executive approving the Strategy	No implications Officer Time
Produce a crib sheet for Council Officers to work with to standardise all reports made with regards to claims against a Council-owned tree	January 2009 Arboricultural section	No Implications
Prepare a report for The Executive committee on the effect of an increased cyclical tree maintenance programme of trees on London clays areas	Ongoing Arboricultural section	Officer Time

6.5 Dealing with Enquiries

6.5.1 Introduction.

The Arboricultural Section receives on average 2000 enquiries per year with regard to trees on highways, parks, cemeteries, allotments and trees on other Council owned land. They range from general enquiries about pruning and planting to reporting dangerous trees. Following any enquiry, the Section has to determine the level of response required.

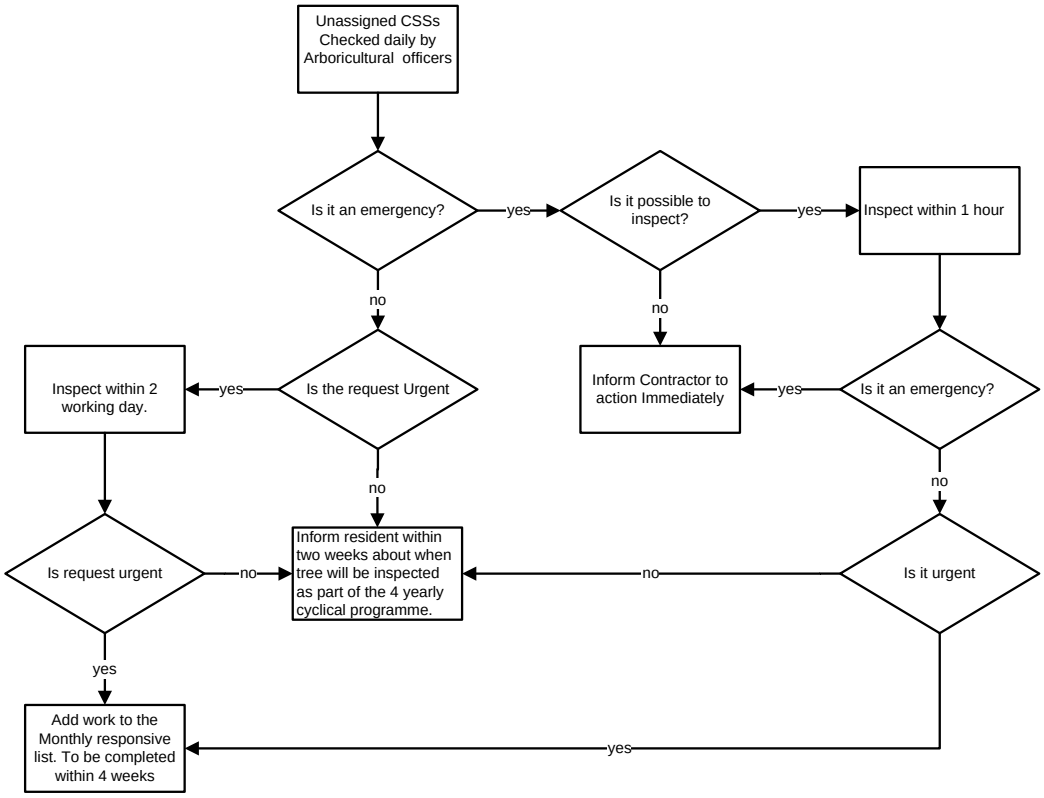
6.5.2 Policies

Policy 25

To work within the guidelines of the Sutton Council's Customer Contact Charter 2008/09

6.5.3 Guidelines

Procedure 1 Flow chart for CSS enquiries from the Public.



Levels of response to enquiries

Level 1 - (within 24 hours)

We would conduct work outside the cyclical programme for the following reasons:

- Where a tree or part of a tree is deemed to be an immediate threat to public safety, for example a tree that has died and become brittle and there is a high risk of tree failure
- Where a tree or part of a tree has failed and is causing a hazard, this could be due to adverse weather, extreme decay or an act of vandalism
- Where a tree or part of a tree is causing an extreme obstruction to a road, footpath or major right of way

Level 2 - (within 8 weeks)

We would conduct work on trees outside of the cyclical programme for the following reasons:

- Where a tree or part of a tree is deemed by a qualified Arboriculturalist to be a possible threat to public safety, but it has not yet become a high risk
- A tree's upper canopy is physically touching a property
- Where a tree or part of a tree is impeding safe passage on a footway/highway
- It may be necessary to carry out pruning to improve access or increase light infiltration where a resident is disabled or partially sighted
- It may be necessary to prune or remove a tree that has been shown to be a major contributor to soil shrinkage and the cause of serious structural damage to buildings. Structural problems must always be carefully investigated particularly where there is the possibility of a potential claim against the Council. This subject is looked at in more detail in insurance issues section 6.4
- It may be necessary to prune or fell a tree that may be preventing essential repairs to property and it is not possible to overcome the problem by any other means than removal
- It may be necessary to prune or fell a tree that can be used to gain criminal access or may be obstructing essential police or Council-monitored CCTV surveillance and it is not possible to remove or minimise the problem by any other means such as removing or repositioning the camera/target or by pruning
- Where it is necessary to conduct root pruning to improve safety on the footway and carriageway. This may also require compensatory crown pruning following root pruning
- Trees on private land that are deemed to be a potential danger by a qualified officer and the tree owner has been notified

Level 3 (Park and street trees on a four yearly cyclical programme)

- Crown lifting to provide the legal clearance on public footway and carriageway
- Crown thinning to minimise general nuisance problems such as honeydew, shading, overhang to properties
- Hanging branches in a park or open space if in a low use area
- Removing trees as part of any agreed limited phased removal programme

- Pruning trees away from street furniture such as telephone lines and streetlights
- Tree stump removal

6.5.4 Action plan

Actions	By when and whom	Cost implications
Aim to produce more information for the general public in the form of Web page, leaflets	April 2009 BM/MT	Officer Time and cost of production of Leaflets
Arboricultural section will continue to provide an out of hours service 365 days a year 24 hours a day	Ongoing Arboricultural Section	Impact of Standby charge. To be discussed

6.6 Environmental issues, Climate Change and the Future

6.6.1 Introduction

It seems that the climate in the British Isles is changing. With the prediction of longer, hotter summers and mild wet winters, there will be an effect on our trees. Urban trees influence the impact of climate change. As temperature increases, urban greenery will become more important especially in mitigating the effect of raised surface temperatures.

One important role of trees in the urban environment is to influence people's behaviour, so that they reduce the contribution to greenhouse gas emissions. This is achieved by making it more appealing to walk or cycle for short journeys around the Borough, encouraging people to plant more trees in their gardens, or as part of a larger scheme.

Effect that trees could have on mitigating and influencing climate change

Modelling work based on Manchester suggested that adding 10% of green cover kept maximum surface temperatures in high-density residential areas and town centres on the hottest summer days at or below the 1961-1990 level. Removal of 10% green cover from these areas increase maximum surface areas by up 8.2 ^{o}C by 2080, assuming the highest emission scenario (UKCIP) [37].

Potential effect of climate change on trees

Trees themselves can be adversely affected by a changing climate, both by the climate and the proliferation of native or introduced pest and diseases.

a) 6.6.1.2.1 BIOTIC (Living)

Potential increase in pest and disease activity may change interactions with host plant species for better or worse.

Non-native pests and diseases could become more prevalent, for example the Processionary Moth, Asian longhorn beetle and Sudden Oak Death already flourish in the UK. As these pests and diseases are out of their natural ecological environment they have no natural enemies to keep them in check. The invasion of non-native species of pest and disease seems to be on the increase.

Wetter springs would mean a rise in foliage diseases. Less rainfall could increase mortality rates from root pathogens such as Phytophera and further increase the likelihood of attack from other opportunist pest and diseases.

b) 6.6.1.2.2 ABIOTIC (Non Living)

Drought induced defoliation of trees affecting growth.

Increased risk of flooding could have, in some instances, a potential effect on rooting stability. This is to say that an increase in moisture contents would have an effect of decreasing the roots hold in the soil, thus compromising the rootplate shear strength.

Advance in bud burst could lead to frost damage by late winter frost, which could affect growth rates.

Reduction in winter hardiness of certain species.

Increased photosynthesis, resulting in increased growth where water is available to the tree.

Hotter summers will have an effect on soil drying on shrinkable clay soils, leading to an increase in claims for indirect damage.

c) 6.6.1.2.3 The physiological status of Horsechestnuts

Horse Chestnut trees all over the Southeast of England are unfortunately suffering from a number of disorders.

Bacterial canker of Horse Chestnut (*Pseudomonas syringae)* has been present in Europe for a number of years, though there has been a recent surge in reported cases. The bacterial canker kills areas of tissue under the bark, interrupting the flow of water within the trees vascular system, thereby causing chlorosis of the leaves in the upper canopy. The bleeding from the trunk is the trees response to this type of pathogenic attack. The canker can ring bark and kill the tree in extreme cases.

The trees are already under stress while dealing with this type of attack and unnecessary pruning would lessen the trees ability to produce the energy it needs to defend itself.

The Chestnut Leaf Miner (*Camararia orhidella*) is a very small moth whose larvae eat the tissue between the leaf surfaces. The pest is thought to be originally from Asia and arrived in the UK around 2002.

The Leaf Miner has the ability to produce three generations of offspring per year. The pupae over winter in the leaf litter and start to attack the new leaves in May and continue to damage the leaves till the end of October. Particularly bad infestations can cause the Chestnut leaves to brown and drop as early as August.

Though the trees seem to be under stress from the pests and diseases noted above, there is so far, no evidence that any tree has died or suffered any form of long term damage or decline following infestation from either leaf miner or bacterial canker. It is thought that by the time severe damage from Leaf Miner occurs late in the season (August/September) it has occurred too late to affect the performance of the tree (though research is ongoing).

Even in very severe cases, damage is generally limited to a maximum of 70% of the leaf area (by the end of September). This is well within acceptable levels of tolerance for the trees and is therefore considered cosmetic.

Guignardia Leaf Blotch (*Guignardia aesculi*) is a fungus that causes lesions on the leaves of Horse Chestnut trees. The lesions appear on the upper surface of the leaves and at the leaf tips and margins. Lesions are often surrounded by yellow margins and small black spots (pycnidia) within the lesions. The lesions vary in size and larger lesions can join up, resulting in leaf curl.

The lesions appear late in the growing season so although they make the leaves look unsightly, leaf growth is not affected.

The fungus is thought to have originated in the USA and over- winters on leaf litter beneath the tree. Spores are released in spring and are thought to be dispersed by water splash.

Fallen leaves should be collected and removed from the area to reduce the amount of inoculums available for the following spring. Resistant species are Aesculus gladbra var. sargentii and A. parviflora var. serotina.

6.6.2 Policies

Policy 26

The Council will plant more trees to mitigate the affects of climate change. To achieve this we will work with external groups to source funding to purchase and plant trees

Policy 27

The Council will look at planting more trees that are sourced from a local genetic stock where appropriate

Policy 28

The Council will continue to monitor the tree stock and make adaptations to management when necessary, especially where this has implications on shrinkable clay soils

Policy 29

The Council will begin to introduce a wider variety of species into our planting schemes, taking into account the shift in climate

Policy 30

The Council will look at finding alternative sources of water and encourage residents to use waste water to help new trees establish

Policy 31

The Council will work towards mitigating the effects of Horsechestnut leaf miner, Bacteria canker and Guignardia Leaf Blotch on the Boroughs stock

6.6.3 Guidelines

During our regular inspection, officers will to look for problems associated with climatic change.

Officers will work with Tree Wardens and other local groups to gather seeds from significant trees around the Borough.

When planting trees we will use the criteria in section 6.3Tree Planting

6.6.4 Action Plan

Actions	By when and whom	Cost implications
Keep up to date with Local and National policies and legislations	Arboricultural section. Ongoing	None
Attend courses and lectures as and when they become available	Arboricultural section Ongoing	Officer Time and cost of events
Working closely with the Ecology section	Arboricultural section Ongoing	None
We will work within industry best practice to mitigate the effects of Horsechestnut leaf miner, and other physiological conditions affecting these trees	Arboricultural section	Unknown at this time

6.7 Tree Wardens

6.7.1 Introduction

The London Borough of Sutton has recently had renewed interest in the Tree Warden Scheme. The old scheme ended a few years ago after interest in the scheme waned. The new scheme has approximately 24 Tree Wardens, some from the old scheme, some new.

This draft policy for the scheme hopes to identify the aims and objectives of the scheme, possible future direction of the scheme and ways of managing the scheme so that Warden's needs are met.

a) Background

The Tree Warden Scheme is a national initiative to enable members of the public to take an active role in conserving and enhancing trees in their local area. The scheme was founded by the Tree Council in partnership with National Grid.

Tree Wardens are volunteers, appointed by the London Borough of Sutton, who gather information about their local trees, get involved in local tree matters and encourage local practical projects to do with trees and woodlands. Tree Wardens will, at times, be working in partnership with existing initiatives like Sutton Nature Conservation Volunteers.

6.7.2 Policies

Policy 32

The Council will create a network of informed people who can co-ordinate local tree based environmental improvements on behalf of the London Borough of Sutton

Policy 33

The Council will encourage Wardens to come forward with their own ideas for events and activities that they think would benefit the borough

Policy 34

The Council will establish a tree problems and enquiries reporting system for Tree Wardens**.** Non emergency enquiries can be can pre paid post cards or via email. Training would have to be arranged before hand so that Wardens are made aware of the type of problems Arboricultural Officers need to be made aware of. Emergency reporting system will be via mobile phone to one of the Arboricultural Officers

Policy 35

The Council will raise awareness of trees within the Borough and increase understanding of trees through local projects and training events

Policy 36

The Council will promote understanding of ancient trees and record ancient trees within the borough on the Ancient Tree Forum website

Policy 37

The Council will create web links between the LBS website and the Tree Council forum. With the possibility of having an online tree hazard reporting system and forum for Tree Wardens

Policy 38

Our Wardens will monitor plant health with the emphasis on invasive pests and diseases of trees

The Council will seek to involve underrepresented groups in the provision of the Tree Wardens services in the Borough

Policy 39

6.7.3 Guidelines

The tasks in which the Tree Wardens might become involved fall within four broad headings: gathering information, local liaison, and practical projects and protecting trees.

Until Tree Wardens are willing to co-ordinate the scheme themselves, it will be co-ordinated by the Arboricultural Team. The role of co-ordinator is essential to the Scheme because it is important for the Wardens to have a known "face" to whom they can turn.

The steering committee comprises of members of the Biodiversity Team, Planning Officers, the Parks Managers and the Arboricultural Section. Ideally the committee should meet annually to give guidance to the direction of the network and to look at the composition of the training.

Annual review of the scheme (by the steering group) will keep track of the scheme's progress over the past year. Monitoring the schemes performance:

- Takes into account the Warden's views and the views of the local community
- Gives indications of what levels of service other co-ordinators are offering (by keeping good links with neighbouring schemes like Merton and Surrey Tree Wardens Network -TWN)
- Considers the progress of the action plan

Training is essential to this Scheme. It is designed to give Tree Wardens confidence in their ability to carry out their role effectively, and to maintain

their interest and enthusiasm. Training events will be run by London Borough of Sutton Arboricultural Officers. More specifically, training courses will aim:

- To teach Tree Wardens the appropriate knowledge and skills to undertake the basic range of Tree Warden activities
- To encourage them to become progressively better qualified and thus able to undertake a wider range of activities
- And most importantly, to ensure they appreciate the limits of their knowledge and know when and where to turn for expert advice

6.7.4 Action Plan

Actions	By when and whom	Cost implications
Identify sites suitable for new/replacement planting throughout the borough, choosing the right tree for the right place	Ongoing Arboricultural section	Officer time
Recruit and train new Wardens through advertising in Sutton Scene. With a target of 30 regular attendees	January 2010 Arboricultural section	Officer time Advertising cost
Encourage Wardens to come forward with their own ideas for events and activities by holding regular meetings	Ongoing Arboricultural section	Officer time
Establish a tree problems and enquiries reporting system for Tree Wardens and resident association	April 2009 Arboricultural section	Officer time
Set up an area monitoring system for the Tree Wardens	April 2009 Arboricultural section	Officer time
Record ancient trees within the borough on the Ancient Tree Forum website	Ongoing Arboricultural section	Officer time
Create web links between the LBS website and the Tree Council forum	April 2009 Arboricultural section	Officer time
Monitor plant health with the emphasis on invasive pests and diseases Issuing Tree warden packs and up to date industry information to Wardens and resident groups	Ongoing Arboricultural section and Tree wardens	Officer time Cost of information leaflets etc
Develop links between tree wardens and residents groups	Ongoing Arboricultural section	Officer time

6.8 Dangerous trees on private property

6.8.1 Introduction

Trees on privately owned land make up the largest majority of an urban tree population. The owners have the same responsibility as the Counil (see section 6.2) Where privately owned trees pose a risk to persons (or their property) using the highway, Local Authorities (under the Highways Act 1980 Section 154) have powers to:

- Request that the person(s) responsible for the tree(s) take reasonable steps to reduce the risk or
- Local Authorities may take steps to satisfy themselves that the risk has been reduced to an acceptable level and recover all costs reasonably incurred in doing so from the person(s) responsible for the tree.

Local Authorities also have powers to deal with dangerous trees under the Local Government (Miscellaneous Provisions) Act 1976 Section 23 whereby the Local Authority has the discretionary power to intervene where:

- A tree(s) is likely to cause immediate harm to persons or property other than on the highway, i.e. neighbouring property and
- When requested to do so by the property likely to be affected and
- The person(s) responsible for the tree(s) is unable or unwilling to take steps to reduce the risks themselves or
- In case of emergency where there is insufficient time to find or request that the person(s) responsible for the tree(s) the Council will intervene immediately to make the tree(s) safe.

In both cases, Council officers have powers of entry, and those responsible for tree(s) have rights of appeal to the County Court.

6.8.2 Policies

Policy 40

The Council will seek to ensure that, wherever identified, any privately owned tree(s) likely to cause an immediate danger to persons or property using the highway will be dealt with in a reasonable manner according to the appropriate statute law

Policy 41

The Council may ensure that significant and immediate risks posed by tree(s) to private property are reduced where requested to do so under Section 23 of the Local Government (Miscellaneous Provisions) Act 1976. The Council's powers under the above act are discretionary, and should only be used if appropriate to do so. The Council will only use the Local Government (Miscellaneous Provisions) Act as a last resort

6.8.3 Guidelines

When it is reported to the Council that there is a dangerous tree(s) situated on private property, the Councils Arboricultural Section will take the following steps:

- Make a site visit to assess the situation and determine the level of risk. Also fill out a standardised risk assessment form
- If works required to make the tree(s) safe are deemed to be an emergency, the Council will instruct the term contractor to make the tree(s) safe within 24 hours
- If works required to reduce the risk to an acceptable level are deemed to be urgent, rather than emergency, the Council will send a formal notification allowing 14 days (under the Highways Act 1980 Section 154) or 28 days (under the Local Government (Miscellaneous Provisions) Act 1976 Section 23) to make the tree safe (see appendix)
- If no action is taken by the person(s) responsible for the tree(s) within the time scale set by the formal notice, further notification will be sent to the person(s) responsible for the tree(s) stating a time and date when the Council will enter the land to make the tree(s) safe
- The Council may act (without notice when required) within 24hrs to reduce any risk posed by tree(s) to an acceptable level. This may include removal of the tree(s)
- The formal notifications will inform the person(s) responsible for the tree(s) of their rights of appeal to the County Court

An immediate threat is considered as being:

- Where a tree or part of a tree has died, become brittle or there is a high risk of failure
- Where a tree or part of a tree has failed and is causing a hazard, this could be due to adverse weather, extreme decay or an act of vandalism
- Where a tree or part of a tree is causing an obstruction to a road, footpath or right of way.

6.8.4 Action Plan

Actions	By when	Resource implications
Information will be made available on the web site informing members of the public on both the Miscellaneous Provisions and Highways Acts and on how to report a dangerous tree	April 2009	Officer time

6.9 Damage to Council-owned trees

6.9.1 Introduction

It is an offence to destroy or damage any property belonging to another without lawful excuse, either deliberately or recklessly under the Criminal Damage Act 1971.

On occasion, residents take it upon themselves to conduct tree pruning on Council-owned trees without Council consent. In extreme circumstances, residents sometimes completely remove Council-owned trees.

Quite often this pruning is done without any regard to British Standard 3998, the safety of other residents/highway users or the amenity value of the tree.

Usually, this type of work is carried out of normal Council hours. It is up to the Authorised Council officer to approach any person(s) carrying out an offence and gather information under the Police and Criminal Evidence (PACE) Act 1984.

The law regards this type of unauthorised action as criminal damage and the London Borough of Sutton may take appropriate steps to prosecute offenders and recover compensation for the damage (as the courts may award).

It is also an offence under Section 132 of the Highways Act 1980 to affix any poster or sign to a highways tree without the permission of the Local Authority.

6.9.2 Policies

Policy 42

The Council may seek to prosecute any person(s) (under Section 1 of the Criminal Damage Act 1971 and Section 132 of the Highways Act 1980) carrying out unauthorized work or causing damage to a Council owned tree(s). The Council will also seek to reclaim any such costs as the courts may award

Policy 43

The Council will remove any sign or poster attached to a Council owned tree that has been attached without the permission of the Council

6.9.3 Guidelines

On receipt of information that an offence as occurred, the Council Officer will make a site visit to assess the situation and obtain evidence. A judgment will be made on whether a criminal offence has taken place.

Offenders may be questioned under caution either on site or at the Council Offices at a later date.

Following damage to a Council owned tree, the Council officer may instruct the term contractor to carry out any remedial works required to make the tree

safe or issue any works required to restore the amenity value of the damaged tree.

Prosecution of offences takes place in a magistrate's court, most likely leading to a fine. Conviction of an offence depends on the circumstances, but can carry a maximum custodial sentence of 10 years.

The Council will seek reasonable compensation for any expenses incurred and/or for the loss and replacement of any tree that has to be felled due to damage.

Utility Companies working near Council owned trees

We will liaise with the Highway's Street Works section and, if possible, identify areas in advance where utility companies will be working in close proximity to Council owned trees. We will expect that any work within the vicinity of a Council owned tree is in accordance with the National joint utilities guidelines Currently volume 4 (NJUG guidelines for the planning, installations and maintenance of utility apparatus in the proximity to trees) a copy if this document can be found at ww.njug.org.uk or copies can be obtained from the Arboricultural section 24 Denmark road Carshalton.

6.9.4 Action Plan

Actions	By when	Resource implications
All Arboricultural Officers will undertake PACE training	April 2009	Cost of Training and officer time

6.10 Biodiversity

6.10.1 Introduction

Biodiversity impacts on all aspects of the protection, enhancement and management of the tree stock, and is addressed in policies throughout this Strategy. Where it is felt it has not been sufficiently dealt with, or where further clarification is needed, supplementary policies have been included here.

Trees and woodlands form an essential part of the diverse landscape character and contribute significantly to the biodiversity of Sutton. At the macroscopic scale woodlands provide a contribution to biological diversity from habitats such as semi-natural broadleaved native woodland, non-native woodland, to willow carr and scrub. At the microscopic scale trees contribute to biological diversity by providing habitats such as on the bark, within rot holes or within the canopy of an individual tree.

The London Borough of Sutton is proud of its longstanding commitment to nature conservation. This strategy builds upon its sensitive management practice to conserve tree and woodland habitats and biological diversity, but also provides individuals with opportunities for contact with nature and contributes to the quality of life and well being of the community.

Trees and woodlands are managed with wildlife in mind at nature reserves and sites of importance for nature conservation throughout the borough,

a) Veteran Trees

The London Borough of Sutton has a variety of older trees, notably some ancient Sweet Chestnuts situated in Carshalton Park and Oaks around St Helier. Veteran trees can be defined as trees of interest biologically, culturally or aesthetically because of its age size or condition. Size and age alone is not an indication that a tree is counted as a veteran, some species such as Hawthorne could be small and have a shorter life span relative to other, so could be counted as a veteran.

They are important for the following reasons:

They may have a particular historic link, i.e. be associated with a specific person or event.

They often illustrate past land use or cultural landscapes. For example veteran trees are often found on wooded commons, in parkland, as boundary or field markers and in ancient farmland landscapes.

Ancient trees provide habitat for a huge array of other organisms. The special features of ancient trees, which make them unique as wildlife habitat, are the exceptionally species-rich communities associated with the wide range of biotopes they provide. Fungal rotting of the heartwood and dead limbs results in a diversity of micro-habitats suitable for other organisms including a potentially very wide range of invertebrates, dependent on such different micro-habitats, and birds such as woodpeckers which prey on them. Epiphytes such as mosses and lichens may require the old bark characteristic of veteran trees to grow on. Although some of the organisms are generalists, many are extremely specialist and are confined to veteran trees. Old trees, as a consequence of their rarity, harbour large numbers of rare and threatened species. The biological importance of a tree is greater if it lives long enough to perpetuate the continuity of habitats for future generations.

They may be an important gene pool of trees showing particular characteristics, e.g. disease resistance or good epicormic growth (beneficial for good growth after pollarding but not for good quality commercial timber).

The annual rings of old trees are historical records in their own right. They illustrate past climate changes or cutting treatments, and the chemical nature of the wood is a potential resource for research into past climates, pollution levels etc. (however if decay is present it will remove the rings and eventually the tree may become hollow).

In addition, Britain has one of the highest populations of veteran trees in Europe (along with Greece and Spain).

It is important that the correct management is applied to these trees to maintain them for as long as possible. They require a higher level of management than others to maintain this and fulfil safety responsibilities.

6.10.2 Policies

Policy 44

The Council will ensure that legal responsibilities and obligations with respect to protected species and biodiversity legislation, policy and guidance are adhered to

Policy 45

The Council will seek to identify, record, safeguard and improve the management of Sutton's veteran tree stock

6.10.3 Guidelines

a) Assessment

As part of the inspection process an assessment will be made of the wildlife value of trees and woodland to guide the decision making process. All tree operations will be undertaken in accordance with best practice guidelines and legislation for wildlife and protected species.

b) Planting policy

Whilst it is accepted that trees and woodland in Sutton are primarily the result of anthropogenic activities and do not represent a specific natural community, where appropriate, replacement species or augmentation should be carried out with regard to National Vegetation Communities, and should ideally be of local origin. This does not, however, take into account the affects of climate change and the potential impact on species composition – hot dry summers and wetter, warmer winters are already influencing our wild plants and other wildlife. In addition therefore we will refer to the Tree and Woodland Framework for London and Right Trees for a Changing Climate to help us decide what trees are suitable to plant in Sutton in face of a changing climate.

c) Veteran Trees

We will identify veteran trees in a number of ways;

- Via regular inspections of highways, parks, cemeteries.
- Asking tree wardens and other member of the public to nominate trees around the borough that they think reach the required status of Veteran. We will achieve this by promoting veteran trees and providing information on their identification on the Council's web site, Sutton Scene etc, also by giving talks to interested parties.

The Arboricultural Officer will verify or not whether the tree should then be recorded as a veteran.

We will record all relevant details trees onto the Council's database and also onto the Woodland trusts ancient tree forum. We will conduct a more rigorous inspection schedule of the trees on a minimum of every two years, recording the inspections and recommendations.

Wherever possible we will manage the tree using the following recommendations

Try to keep individual trees alive for as long as possible; live trees continually produce dead wood as well as leaves, and branches.

Do the minimum amount of surgery necessary on a tree.

Ensure that there is plenty of standing dead wood (including whole dead trees) and dead branches on old trees. Try not to remove the lower branches of trees, e.g. to allow vehicular access. If they are dying, due to shading from above, they might be used by some specialist insects.

Never cut into cavities or holes, or drain them, to avoid this, test the depth of the cavity by using, e.g. by inserting a piece of flexible hose into the hole, and ensuring that any cutting necessary does not go into it.

Try to avoid damage to the lower parts of the tree trunk, including damage by grazing animals (rubbing or chewing etc) and machinery. As well as harming the tree itself, such damage may be detrimental to other wildlife, for this is where lichens grow and there may also be cavities at ground level, which can be good for invertebrates.

Don't tidy up (i.e. flush cut) rough ends to branches as the broken ends form egg-laying niches. Artificially create micro-habitats for wildlife using coronet and rip-cuts.

Leave any dead wood in the canopy.

Not to treat stumps or cut/damaged branches with sealant, fungicide or insecticide.

Not to remove fungal fruiting bodies; it can be harmful for the fungus and also for any organisms living in it.

Not to plough or strip soil close to veteran trees, this damages the mycorrhizal fungi as well as the tree.

Were ever possible we will manage the land surrounding the trees to the following recommendations

Ensure that there are plenty of holes, cracks and crevices, in other trees in the surrounding area e.g. for bats, birds and invertebrates.

Leave abundant dead wood on the ground in a variety of sizes, shapes, positions and states of decay. Leave fallen dead trees as intact as possible.

Where practical to leave poor or damaged trees as they often the best wildlife trees.

Avoid using chemicals (herbicides, insecticides or fungicides) on the surrounding land (or the tree).

If fertilizers have to be used, farmyard manure or pelleted versions are best. They should be applied on still days and kept at least 15 times the diameter of the trunk at breast height away from the trees and not allowed to splash onto the trunks.

Encourage natural regeneration to ensure long-term continuity of trees. Try to encourage native trees and shrubs with a good population and age structure. This provides continuity of trees and suitable habitats for mycorrhizal fungi that require different age classes of each species of tree. The regeneration and planting of conspecific saplings near isolated veterans is important for this reason. On parkland sites with good lichen floras some younger exotic trees are worth encouraging if veteran specimens of the same species occur.

If dead wood is in short supply, or will be in the future, (i.e. there is a generation gap) consider artificially creating suitable cavities and decay in younger trees

If there is no new generation of the same species of tree consider using other, more quickly growing, species to try to help close the gap as well as planting con-specifics.

Where it is considered appropriate establish tree and shrub layer having regard to National Vegetation Communities.

6.10.4 Action Plan

Actions	**By when**	**Resource implications**
We will ensure that all Council property managers are aware of their legal responsibilities and obligations with respect to protected species and biodiversity legislation, policy and guidance	2010	Officer time. Biodiversity team
Ensure continual professional development of arboricultural team by engaging in up to date wildlife and protected species courses	Ongoing	Course fees. Officer time